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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/670,077	09/26/2000	Jenwei Hsieh	016295.0618	5720

7590 02/11/2004

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EXAMINER

EUGENE, WANDA

ART UNIT	PAPER NUMBER
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2666

3

DATE MAILED: 02/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/670,077

Applicant(s)

HSIEH ET AL.

Examiner

Wanda Eugene

Art Unit

2666

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 6-9, 12-15, 18-21 and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Daase et al. (U.S. 5,923,652).

Regarding claims 1, 7, 13 and 19, Daase discloses a switch operable (**switching network** col. 2 line 66) to communicatively couple a plurality of devices (**N terminal connections PORT1 to PORTN** col. 2 lines 66-67), wherein the switch is operable to receive a module (**the switching network is controlled by the control facility** col. 3 lines 5-6), wherein the module comprises one or more module routing components (**additional function modules**) operable to communicatively couple with the devices when the module is received by the switch and receiving the module (**switching between the control facility and terminal connections PORT1 to PORT N** col. 3 lines 5-9).

Regarding claim 2, 8, 14 and 20, Daase teaches a switch further comprises one or more intermediate routing components (**function modules**) operable to communicatively couple with the module routing components (**additional function modules**) when the module is received by the switch (**the functional module communicates with the additional function modules** col. 3 lines 25-28).

Art Unit: 2666

Regarding claim 3, 9, 15 and 21, Daase discloses the module routing components (**additional function modules**) are the same type as the intermediate routing components (**function modules** col. 3 lines 32-33) in order to communicate with each other (col. 4 lines 25-28)

Regarding claim 6, 12, 18 and 24, Daase discloses a switch is operable to receive a plurality of modules (**a switching function controlled by a control facility comprising a plurality of a coupled basic function modules** col. 8 lines 30-35).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 4, 10, 16 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daase (U.S. 5,923,652) in view of Muller et al. (U.S. 6,052,738).

Daase discloses all the aspects of the claimed invention as set forth in claims 1, 7, 13 and 19 except for ASIC-based routing components. Muller et al. discloses switching elements comprising application specific integrated circuit that implements performance-critical functions in hardware (col. 3 lines 51-53). At the time of the invention it would have been obvious to a person of ordinary skill in the art to modify Daase to develop routing components by means of ASIC's as suggested by Muller et al. in order to reduce the size of the module thus making it easier to alter the embodiment to include a chip set comprising multiple routing components.

4. Claims 5, 11, 17 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daase.

Daase discloses all aspects of the claimed invention as set forth in claims 1,7,13, and 19 except for the number of module routing components being equal to half the number of intermediate routing components. Daase teaches an arbitrary number of function modules (col. 3 lines 51-52) and additional function modules (col. 4 lines 17-19). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Daase to include a specified number indicating the amount of functional and additional functional modules in the system in order to set a predetermined specification in regards to the ratio of supplemental components to the existing components based upon the designer's preference as a means of improving configuration to improve transmission.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wanda Eugene whose telephone number is 703-305-8978. The examiner can normally be reached on M-F 7am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Q Ngo can be reached on 703-305-4798. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-3900.

we


RICKY NGO
PRIMARY EXAMINER